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APPLICATION NO	). F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/925,584	•	08/09/2001	Christopher Harry Austen	AUS920010565US1	AUS920010565US1 2968	
35525	7590	07/15/2004		EXAN	EXAMINER	
IBM COF	RP (YA) & ASSOCI	ATEC DC	SURYAWAN	SURYAWANSHI, SURESH		
P.O. BOX		ALESPC	ART UNIT	PAPER NUMBER		
DALLAS,	TX 7538	0	2115	2115		

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Eatherison of time may be waited under the provision of 3° CFR 1.13(6), in no event, however, may a reply be limely filled  Eatherison of time may be waited under the provision of 3° CFR 1.13(6), in no event, however, may a reply be limely filled  Eatherison of time may be waited to be considered to the provision of 3° CFR 1.13(6), in no event, however, may a reply be limely filled  If the period for reply septicial above is less than hirty (00 days, a reply within the statulation provision of the post of the period for reply very developed to the provision of the period of the peri		_						
Examinor Suresh K Suryawanshi 2115  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE of THIS COMMUNICATION.  Extensions of time may be available under the provisions of 3° CPR 1.13(ii), in no event, however, may a reply be limely filled.  If the priod for reply specified above, the non-inform statutory period will exply and will be considered timely.  If the priod for reply specified above, the non-inform statutory period will exply and will expire SX (6) MONTHS from the mailing date of this communication, even if timely filled as yellow the statutory period will be statutory members of the priod of the communication, even if timely filled, may reduce any viscoursed patent terms adjustment. See 37 CPR 1.704(s).  This action is FINAL.  20 ST This action is FINAL.  20 ST This action is fill and the mailing date of this communication, even if timely filled, may reduce any substitution of the second patent terms adjustment. See 37 CPR 1.704(s).  Disposition of Claims  4) Claim(s) 1-24 Is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5b Claim(s) 1-24 Is/are allowed.  Claim(s) 1-24 Is/are allowed.  Claim(s) 1-24 Is/are allowed.  Claim(s) 1-24 Is/are objected to.  B) Claim(s)		Application No.	Applicant(s)	OF				
Suresh K Suryawanshi 2115	Office Astion Comments	09/925,584	AUSTEN ET AL.					
The MALING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Educations for the page of a validation under the processions of 3 CFR 1.136(a). In a verif, however, may a reply be timely filled  If the period for reply a specified shore is less than this (DI) days, a reply within the statisticy minimum of thirty (DI) days will be considered timely.  If the period for reply specified shore is less than this (DI) days, a reply within the statisticy relieved it aligns and will appear the reply a specified shore. The mainting date of the communication.  Followers of exply a specified shore. The mainting date of the communication of the process of the specification to become ABANCONED (30 U.S.C. § 133).  Shore this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-24 is/are pending in the application.  4) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  7) Claim(s) is/are objected to by the Examiner.  10) The drawing(s) filled on 09 August 2001 is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9) The specification is objected to the thermosphila of the drawing(s) is objected to by the Examiner.  10) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) The drawing(s) filled on 09 August 2001 is/are: a) accepted or b) objected to by the Examiner.  10) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) The certified copies of the priority documents have been received.  11 Certified copies of the priority documents have been received in this National Stage application from the International Bureau (P	Office Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Elements of lines may be available under the provisions of 3° CFR 1.36(a). In no event, however, may a raply be timely filled.  Elements of lines may be available under the provisions of 3° CFR 1.36(a). In no event, however, may a raply be timely filled.  Elements of creeply a specified above, the maximum statutory pain of will apply and vin group information of thirty (20) days will be considered timely.  Elements of creeply a specified above, the maximum statutory pain of will apply and vin group information of thirty (20) days will be considered directly apply within the set of cereminal provision of the maximum statutory pain of will apply and vin group information of the communication.  Failure in group within the set of cereminal provision (3° CFR 1.704(b).  Status  1) Section of Claims  4) Section is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.24 stare pending in the application.  4a) Of the above claim(s) is a stare withdrawn from consideration.  5) Claim(s) 1.24 stare allowed.  6) Claim(s) 1.24 stare allowed.  6) Claim(s) 1.24 stare rejected.  7) Claim(s) 1.24 stare allowed.  8) The provising stare as subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  Application provising sheet(s) including the correction is required if the drawing(s) is objected to Sea 37 CFR 1.25(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to Sea 37 CFR 1.21(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priori			<u> </u>					
THE MAILING DATE OF THIS COMMUNICATION.  Edencion of time may be available under the provision of 3 CPR 1.13(6). In no event, however, may a reply be timely filed of the CN (6) MONTIS from the mailing date of this communication of SX (6) MONTIS from the mailing date of this communication.  Followed for reply is specified above, the maximus tabulary period will be play and will exque this the mailing date of this communication.  Fallweight or reply is specified above, the maximus tabulary period will be play and will exque to X(6) MONTIS from the mailing date of this communication.  Fallweight or reply verified between the promotion of the play and will exque X(6) MONTIS from the mailing date of this communication, even if timely filed, may reduce any examiner placetic term adjustment. See 37 CFR 1.73(b).  Status  1) □ Responsive to communication(s) filed on 09 August 2001.  2a) □ This action is FINAL.  2b) □ This action is non-final.  3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) □ Claim(s) 1.24 (s/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) 1.24 (s/are rejected.  7) □ Claim(s) is/are allowed.  6) □ Claim(s) is/are allowed.  6) □ Claim(s) is/are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on 09 August 2001 is/are: a) □ accepted or b) □ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.86(a).  Replacement drawing shee(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) □ The oath or declaration is objected to by the Examiner.  12) □ All b) □ Some * c) □ None of:  12) □ Acknowledgment is made of a claim for foreign priority under	The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the	correspondence addre	ss				
1)⊠ Responsive to communication(s) filed on @ August 2001.  2a)□ This action is FINAL. 2b)⊠ This action is non-final.  3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)☑ Claim(s)	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period was Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing	36(a). In no event, however, may a reply be ti y within the statutory minimum of thirty (30) da vill apply and will expire SIX (6) MONTHS fror , cause the application to become ABANDONI	mely filed  ys will be considered timely. In the mailing date of this comm  ED (35 U.S.C. § 133).	unication.				
2a)  This action is FINAL. 2b)  This action is non-final.  3   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4   Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5   Claim(s) is/are allowed. 6   Claim(s) 1-24 is/are rejected. 7   Claim(s) is/are objected to. 8   Claim(s) are subject to restriction and/or election requirement.  Application Papers  9   The specification is objected to by the Examiner. 10   The drawing(s) filed on 99 August 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11   The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12   Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)   All b) Some * c) None of: 1.   Certified copies of the priority documents have been received in Application No. 3.   Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **TYCENIAS LEE**  **Attachment(e)** 1   Notice of References Cited (PTO-882) 2   Notice of Tratsperson's Patent Drawing Review (PTO-948) 3   Notice of Informal Patent Application (PTO-152)	Status							
2a)  This action is FINAL. 2b)  This action is non-final.  3   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)   Claim(s)	1) Responsive to communication(s) filed on 09 A	uaust 2001.						
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)	•	= ::: :: ::						
Aly Claim(s) 1-24 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed.  6) □ Claim(s) is/are rejected.  7) □ Claim(s) is/are objected to.  8) □ Claim(s) is/are objected to.  8) □ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on on	· <u> </u>							
4) ☐ Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are objected to. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **TICRNAS LEE**  **Super NSCIM** PRIENT EXAMINER*  **TICRNAS LEE**  **Super NSCIM** PRIENT EXAMINER*  **PRIENT EXAM	closed in accordance with the practice under E	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected.  7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on 09 August 2001 is/are: a) □ accepted or b) □ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) □ All b) □ Some * c) □ None of:  1. □ Certified copies of the priority documents have been received.  2. □ Certified copies of the priority documents have been received in Application No,  3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **CENTENCEN PATENT EXAMINER**  **TICHALS LEE**  **SUPERIORS UNITER 2100**  4) □ Interview Summary (PTO-413)  **Paper No(s) TO CENTER 2100  4) □ Interview Summary (PTO-413)  **Paper No(s) TO CENTER 2100  4) □ Interview Summary (PTO-413)  **Paper No(s) TO CENTER 2100  4) □ Interview Summary (PTO-413)  **Paper No(s) To CENTER 2100  4) □ Interview Summary (PTO-413)  **Paper No(s) To CENTER 2100  4) □ Interview Summary (PTO-413)  **Paper No(s) To CENTER 2100  4) □ Interview Summary (PTO-413)  **Paper No(s) To CENTER 2100  4) □ Interview Summary (PTO-413)  **Paper No(s) To CENTER 2100  4) □ Interview Summary (PTO-413)  **Paper No(s) To CENTER 2100  4) □ Interview Summary	Disposition of Claims							
9) ☐ The specification is objected to by the Examiner.  10) ☑ The drawing(s) filed on 09 August 2001 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **CENTALSERY PATENT EXAMINER**  **CENTALSERY PATENT EXAMINER**  **CENTALSERY PATENT EXAMINER**  **THEMAS LEE**  **SUPPLYSERY PATENT EXAMINER*  **THEMAS LEE**  **THEMAS LEE**  **SUPPLYSERY PATENT EXAMINER*  **THEMAS LEE**  **THEMAS LEE**  **THEMAS LEE**  **THEMAS LEE**  **THEMAS LEE**  **TH	4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) <u>1-24</u> is/are rejected. 7) ☐ Claim(s) is/are objected to.	wn from consideration.						
10)  The drawing(s) filed on 09 August 2001 is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  THE MASS LEE  SUPPLINISCHY PATENT EXAMINER  Attachment(s)  1 Notice of References Cited (PTO-892)  2 Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5) Notice of Informal Patent Application (PTO-152)	Application Papers							
12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  THOMAS LEE  SUPERVISORY PATENT EXAMINER  Attachment(s)  1) ☐ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	10) The drawing(s) filed on <u>09 August 2001</u> is/are:  Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct	a)⊠ accepted or b)⊡ objected drawing(s) be held in abeyance. Se ion is required if the drawing(s) is ol	ee 37 CFR 1.85(a). bjected to. See 37 CFR					
a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  **THICMAS LEE*  **SUPERVISCRY PATENT EXAMINER*  **S	Priority under 35 U.S.C. § 119							
Attachment(s)  1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  SUPERVISORY PATENT EXAMINER  4) Interview Summary (PTO-413)  Paper No(s)/Mail Date.  5) Notice of Informal Patent Application (PTO-152)	<ul> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents</li> <li>2. Certified copies of the priority documents</li> <li>3. Copies of the certified copies of the priority</li> <li>application from the International Bureau</li> </ul>	s have been received. s have been received in Applica rity documents have been receiv u (PCT Rule 17.2(a)).	tion No ved in this National Sta	age				
Attachment(s)  1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  SUPERVISORY PATENT EXAMINER  4) Interview Summary (PTO-413)  Paper No(s)/Mail Date.  5) Notice of Informal Patent Application (PTO-152)		THOMAS LEE						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)	Attachment(s)	CUBERAR VERSERVE	EXXIMEN					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date  Notice of Informal Patent Application (PTO-152)	1) Notice of References Cited (PTO-892)	4) L Interview Summar	y (P10-413)					
	<ul> <li>2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)</li> </ul>	Paper No(s)/Mail D	Date	2)				

Application/Control Number: 09/925,584

Art Unit: 2115

#### **DETAILED ACTION**

1. Claims 1-24 are presented for examination.

### Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 4. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Moayyad et al (US Patent no 6,690,400 B1).
- 5. As per claims 1, 9 and 17, Moayyad et al teach

storing a plurality of different firmware images in said computer system [Fig. 1; different OS version; col. 1, lines 31-34; multiple operating systems; col. 2, lines 18-23; one or more operating systems]; and

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rebooting one of said plurality of partitions utilizing one of said plurality of firmware images without rebooting other ones of said plurality of partitions [col. 5, lines 9-17, 24-35; col. 7, lines 33-55; a cabinet can be booted without rebooting other one; Fig. 1; Boot Now].

- 6. As per claims 2, 10 and 18, Moayyad et al teach the step of selecting said one of said plurality of firmware images to use to reboot said one of said plurality of partitions [col. 5, lines 24-35; col. 8, lines 30-35; col. 7, lines 41-55; a cabinet is configured by selecting a partition and selecting a operating system to boot with].
- 7. As per claims 3, 11 and 19, Moayyad et al teach the step of associating a different, unique firmware image identifier with each of said plurality of firmware images [Fig. 1; different OS version; col. 1, lines 31-34; multiple operating systems; col. 2, lines 18-23; one or more operating systems; inherent to the system as having a number of operating systems].
- 8. As per claims 4, 12 and 20, Moayyad et al teach

associating a different, unique firmware image identifier with each of said plurality of firmware images [Fig. 1; different OS version; col. 1, lines 31-34; multiple operating systems; col. 2, lines 18-23; one or more operating systems; inherent to the system as having a number of operating systems];

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associating a different partition table with each one of said plurality of partitions [col. 8, lines 7-12; inherent to the system];

providing an indicator within each said different partition table, said indicator indicating whether one of said plurality of partitions that is associated with said partition table needs to be rebooted [col. 3, lines 7-12; marked as bootable]; and

providing an identifier within each said different partition table, said identifier identifying one of said plurality of firmware images [Fig. 9; col. 5, lines 24-35; col. 8, lines 30-35; col. 7, lines 41-55; a cabinet is configured by selecting a partition and selecting a operating system to boot with].

9. As per claims 5, 13 and 21, Moayyad et al teach

routinely checking each said partition table to determine whether said indicator included within each said partition table indicates that one of said plurality of partitions associated with each said partition table is to be rebooted [col. 3, lines 7-12; partition is marked as bootable; col. 7, lines 33-34; an operating system will boot up automatically];

in response to a determination that an indicator indicates that one of said plurality of

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partitions needs to be rebooted, rebooting said one of said plurality of partitions having said indicator that indicates said need to be rebooted [col. 3, lines 7-12; partition is marked as bootable; col. 7, lines 33-34; an operating system will boot up automatically].

10. As per claims 6, 14 and 22 Moayyad et al teach

retrieving an identifier from said partition table that includes said indicator that indicates said need to be rebooted, said identifier one of said plurality of firmware images [col. 3, lines 7-12; partition is marked as bootable; col. 7, lines 33-34; an operating system will boot up automatically]; and

rebooting only said one of said plurality of partitions that includes said indicator that indicates said need to be rebooted utilizing said identifier retrieved from said partition table associated with said one of said plurality of partitions [col. 5, lines 9-17, 24-35; col. 7, lines 33-55; a cabinet can be booted without rebooting other one; Fig. 1; Boot Now].

11. As per claims 7, 15 and 23, Moayyad et al teach

providing a listing of said plurality of partitions [col. 3, lines 1-12; list of partitions];

providing a listing of said plurality of different firmware images; receiving a selection of one of said plurality of partitions that is to be rebooted [col. 4, line 10; boot option]; and

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receiving a selection of one of said plurality of firmware images to use to reboot said selected one of said plurality of partitions [col. 3, lines 10-12; col. 5, lines 9-16].

12. As per claims 8, 16 and 24, Moayyad et al teach

setting an indicator in a partition table associated with said selected one of said plurality of partitions, said indicator indicating that said one of said plurality of partitions has been selected to be rebooted [col. 3, lines 7-12; marked as bootable]; and

storing an identification of said selected one of said plurality of firmware images in said partition table associated with said selected one of said plurality of partitions [col. 5, lines 24-35; col. 8, lines 30-35; col. 7, lines 41-55; a cabinet is configured by selecting a partition and selecting a operating system to boot with].

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#### Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suresh K Survawanshi whose telephone number is 703-305-3990. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 703-305-9717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sks July 9, 2004

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